

1 Camellia Baray, State Bar No. 179219
2 BONJOUR, THORMAN, BARAY & BILLINGSLEY
24301 Southland Dr., Ste 312
Hayward, Ca. 94545
3 (510) 785-8400 (phone)
(510) 670-0995 (fax)
4 camellia@btbandb.com

5 Attorneys for Defendant Edwinna Firmeza
6

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.
14

15 EDWINNA FIRMEZA,

16 Defendant.
17 _____/

No. CR 12-00449-1 YGR

MODIFIED
STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE SENTENCING
HEARING FROM NOVEMBER 29, 2012
TO ~~FEBRUARY 7, 2013~~
MARCH 14, 2013

Date: November 29, 2012

Time: 2:00 p.m.

Court: Hon. Yvonne Gonzalez Rogers

18 The above-captioned matter is set on November 29, 2012 at 2:00 p.m. before the Hon.
19 Yvonne Gonzalez Rogers for sentencing. The parties request that the Court vacate this date and
20 March 14, 2013.
21 reset the matter for sentencing on ~~February 7, 2013~~.

22 The reason for this request is that the defense is in the process of investigating issues
23 surrounding restitution in this matter. Ms. Firmeza pled guilty to a charge of bank fraud relating
24 to the misrepresentation of income on loan applications. Two houses were purchased after the
25 loans were funded. On November 13, 2012, the US Attorney received documentation supporting
26 the actual loss to the bank with respect to one property. This documentation was immediately
27

1 turned over to the defense and is currently being reviewed. No documentation has been produced
2 with regard to the second property and discovery is ongoing.

3 The parties, including Probation, agree that restitution issues should be resolved, to the
4 extent possible, prior to sentencing and therefore agree to the proposed continuance. Because
5 Probation is unavailable in January, the parties have requested a sentencing date in ~~February~~
6 ~~February~~ March.

7
8 SO STIPULATED.
9

10
11 Dated: November 14, 2012

_____/S/_____
Keslie Stewart
Assistant United States Attorney


12
13
14 Dated: November 14, 2012

_____/S/_____
Camellia Baray
Attorney for Ms. Firmeza

1 For good cause shown, the sentencing hearing set for November 29, 2012 is continued to
2 March 14, 2013 at 2:00 p.m.
3 ~~February 7, 2012 at 2:00 p.m.~~

4 IT IS SO ORDERED.

5
6
7 DATED: November 26, 2012


Hon. Yvonne Gonzalez Rogers
United States District Judge